

tions of the brain and muscles \* \* \* Yerbama is a first class stimulant for the muscles, nerves and brains \* \* \* without affecting the heart or disturbing the sleep. It is less of an excitant than tea or coffee and \* \* \* does not cause insomnia, neither does it cause perturbations of the heart \* \* \* there is no harmful physical reaction or mental disturbance." (Booklet entitled "Health") "Health \* \* \* Out-Of-Repair Must Not Be Asked To Wait Good Health! From the U. S. of Brazil \* \* \* a nutritious and mentally invigorating food-beverage. The millions in South America who consume it daily \* \* \* live long to rejoice in it. The State of Parana is famed for its high percentage of centenarians. Yerbama \* \* \* from the sunny plantations of Parana \* \* \* It acts as a restorative after great fatigue \* \* \* a fortifier against severe mental or physical work"; and (leaflet entitled "Yerbama") "\* \* \* Nutritious & Bracing For Nerve & Muscle Does Not Cause Insomnia Or Disturbance Of Heart Action."

Further misbranding, Section 502 (c), the information required by law to appear on the label, namely, the common or usual name of the article, maté, was not prominently displayed on the label with such conspicuousness (as compared with the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

**DISPOSITION:** January 22, 1951. Default decree of condemnation and destruction.

**3353. Misbranding of Alfamol. U. S. v. 9 Cartons \* \* \*. (F. D. C. No. 30129. Sample No. 78852-K.)**

**LABEL FILED:** November 17, 1950, Northern District of California.

**ALLEGED SHIPMENT:** On or about September 11, 1950, by the Alfamol Co., from Shedd, Oreg.

**PRODUCT:** 9 unlabeled cartons each containing 1 bottle of *Alfamol* and a circular entitled "Alfamol" at Eureka, Calif. Examination showed that the product consisted essentially of sodium polysulfide, sodium sulfate, and sodium thiosulfate, dissolved in water.

**LABEL, IN PART:** (Bottle) "Two Fluid Ounces Alfamol."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle label and in the circular, which represented and suggested that the article was effective in relieving the pains of arthritis and rheumatism, were false and misleading since the article would not be effective for such purposes; Sections 502 (b) (1) and (2), the carton label of the article failed to bear the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (e) (2), the article was fabricated from two or more ingredients, and the carton label failed to bear the common or usual name of each active ingredient.

**DISPOSITION:** December 13, 1950. Default decree of condemnation and destruction.

✓ **3354. Misbranding of Muscle-Rub. U. S. v. 79 Bottles, etc. (F. D. C. No. 28539. Sample No. 75425-K.)**

**LABEL FILED:** January 23, 1950, District of Colorado.